AGENDA

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ESTABLISHMENT OF A QUORUM
   Mr. Tony Lopez, President
   Mrs. Shawndel Meder, Clerk
   Mrs. Patricia Agles, Member
   Mrs. Anna Newman, Member
   Mr. Frank D. Webb, Jr., Member
   Ms. Emily Wilkins, Student Board Member

4. CONFIRMATION OF THE AGENDA

5. RECOGNITION OF PERSONS HAVING BUSINESS WITH THE BOARD
   The Public may address the Board on any matter pertaining to the school district that is not on the agenda. Unless otherwise determined by the Board, each person is limited to five (5) minutes. If a large number wish to speak on a specific item, the Board may limit total input to twenty-five (25) minutes on any item. There will be no Board discussion except to ask questions or to refer the matter to staff and no actions will be taken unless listed on the agenda.

   The Ralph M. Brown Act prevents the Board of Trustees from responding to these comments with the exception of clarifying questions. The California Government Code, Section 54954.2(a)2 states, “No action or discussion shall be undertaken on any item not appearing on the posted agenda, except the members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.

   No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of the legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code 54954.3. In addition, on their own initiative, or in response to questions posed by the public, a member of legislative body or its staff may ask a question for clarification make a brief announcement or make a brief report on his or her own activities. Furthermore, a member of a legislative body or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for actual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

6. CLOSED SESSION
   Pursuant to Government Code §54957.6, the board will meet in closed session on the following matters.
   - PUBLIC EMPLOYEE/PERSONNEL
     o Title: Certificated, Classified, Administration and Unrepresented Employees

7. RECONVENE TO OPEN SESSION
8. **ACTION ON CLOSED SESSION ITEMS IF ANY**

9. **RECOGNITION OF PERSONS HAVING BUSINESS WITH THE BOARD**
   
The Public may address the Board on any matter pertaining to the school district that is not on the agenda. Unless otherwise determined by the Board, each person is limited to five (5) minutes. If a large number wish to speak on a specific item, the Board may limit total input to twenty-five (25) minutes on any item. There will be no Board discussion except to ask questions or to refer the matter to staff and no actions will be taken unless listed on the agenda.

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   In addition, on their own initiative, or in response to questions posed by the public, a member of the legislative body or its staff may ask a question for calculation make a brief announcement or make a brief report on his or her own activities. Furthermore, a member of a legislative body or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for actual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

10. **FFA STUDENT REPRESENTATIVE TO THE BOARD OF TRUSTEES**

11. **STUDENT AND STAFF RECOGNITIONS** – Ms. Nicole Newman and Mr. Cy Olsen

12. **OPPORTUNITY FOR EMPLOYEE ORGANIZATIONS TO ADDRESS THE BOARD**
   
   - BAFB Liaison – Mrs. Annette Goodly
   - Booster President / Representative
   - Teachers Association (WHEAT) – Mr. Dave Contreras
   - California School Employees Association (CSEA) - Ms. Kuulei Moreno

13. **SUPERINTENDENT’S REPORT**

   This item provides an opportunity for the Superintendent to share various items of interest with the Board – Mrs. Nicole Newman

   Report out from:
   
   ➢ Vice Principal – Mr. Cy Olsen
   ➢ Director of Fiscal Services – Mr. Jesse Castillo
   
   ▪ **Bond Report**
   ▪ **Developer Fee Report**
   
14. **CONSENT AGENDA**

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*All open session materials distributed to board members are available upon request at 1010 Wheatland Road, Wheatland, CA 95692*

*Individuals requiring disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Board meeting should contact the Superintendent or designee in writing at least two days prior to meeting date. (American Disabilities Act) Government Code 54954.1*

*Posted: 05/3/2019 MH*
A. Approve minutes of the April 10, 2019 Regular Board Meeting
B. Approve minutes of the April 25, 2019 Special Board Meeting
C. Approve bills and warrants for April 2019 in the amount of $209,350.64
D. Accept the resignation from the following personnel:
   • Terri Burroughs, Special Education
   • Shirley Kaholokula, Special Education Teacher
E. Approve the hiring of the following personnel for the 2019-20 school year:
   • Kayla MacKaben, Ag. Science Teacher
   • Derek Vance, Science Teacher
   • Celeste Boggs, Cross Country Head Coach
   • Max Struble, Varsity Wrestling Head Coach

15. DEFERRED CONSENT ITEMS

16. INFORMATION ITEMS

16.1 Facilities Sub-Committee - President Tony Lopez and Member Frank D. Webb, Jr.

16.2 Athletic Sub-Committee – Members Frank Webb, Jr. and Shawndel Meder

16.3 Student Athletic Drug Scope of Tests – Ms. Nicole Newman

16.4 CIF Athletic Participation Survey – Ms. Nicole Newman

16.5 P-2 Attendance Report – Mr. Jesse Castillo

16.6 Board Policy Update, First Reading of BP 6146.1 – Wheatland Union High School, Edward P. Duplex Continuation School and Wheatland Community Day High Graduation Requirements – Ms. Nicole Newman

17. ACTION ITEMS

17.1 March 2019 BOARD POLICY UPDATES
A. Second Reading of BP 1312.3 Uniform Complaint Procedures
B. Second Reading of AR 1312.3 Uniform Complaint Procedures
C. Second Reading of AR 1312.4 Williams Uniform Complaint Procedures
D. Second Reading of E(1) 1312.4 Williams Uniform Complaint Procedures
E. Second Reading of E(2) 1312.4 Williams Uniform Complaint Procedures
F. Second Reading of AR 1340 Access to District Records

ACTION NO.18.166

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Posted: 05/3/2019 MH
17.2 APPROVAL OF CONTRACT FROM B.T. MANCINI CO., INC. FOR PURCHASE AND INSTALLATION OF GYMNASIUM BLEACHERS – Ms. Nicole Newman

ACTION NO. 18.167

17.3 APPROVE RESOLUTION CALLING FOR FULL AND FAIR FUNDING OF CALIFORNIA’S PUBLIC SCHOOLS – Ms. Nicole Newman

ACTION NO. 18.168

17.4 APPROVE ADOPTION OF PEARSON PRECALCULUS TEXTBOOK BY SULLIVAN AND SULLIVAN – Ms. Nicole Newman

ACTION NO. 18.169

18. BOARD MEMBER REPORTS / COMMENTS

19. ITEMS TO BE AGENDIZED FOR THE NEXT REGULAR MEETING

20. ADJOURNMENT

ACTION NO. 18.170

SCHOOL BOARD MEETING FORMAT

What is a School Board Meeting?
A School Board Meeting is the normal business meeting of the governing board at which district business is conducted. It is not a public meeting where questions and discussion come from the audience. Members of the audience may address their comments to the Board during the time at which the Board is discussing the agenda item. A five-minute time limit will be imposed except for special presentations approved in advance.

Notification of Meetings
To provide the public with information about what will be on each board meeting agenda, a public notice is posted on the Wheatland Union High School website at www.wheatlandhigh.org on the Friday prior to a regularly scheduled board meeting. In addition, a copy of every board meeting agenda is posted at all schools, sent to union presidents and available for review at the District Office.

Next Regular meeting: June 19, 2019
G.O. Bond Update

Fund 21
## BOND EXPENDITURES

<table>
<thead>
<tr>
<th>Description</th>
<th>Prior Expenditure</th>
<th>Change</th>
<th>Total Expenditure</th>
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<td>NMR Architects - WiFi, Restroom, Gas Line Proj</td>
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<td>DSA Field Review Fee</td>
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<td>Other – Fire Hydrant, Plumbing, Wifi, Misc</td>
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<td>3D Datacom – WiFi Contractor</td>
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<td>Wallace Kuhl Materials Testing</td>
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<td>NFB Engineering – Concrete Project</td>
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<td>Vista Net – WiFi Equipment</td>
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# BOND EXPENDITURES

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<td>Rico’s Window Tint – Campus Window Tinting</td>
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<td>Snack Bar Restroom Project - Landmark</td>
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<td>Immer1/RTI – Server Equipment/Firewall</td>
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<td>Lozano Smith</td>
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<td>Midvalley Sound Window Tinting</td>
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<td>Track Concrete Runway, Pits/Mats/Discus</td>
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<td>King Consulting</td>
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<td>Kingsley Bogard</td>
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<td>DKS Electric</td>
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<td><strong>Total</strong></td>
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<td>Remaining Balance</td>
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<td><strong>$2,458,668.81</strong></td>
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## Wheatland Union High School District
### Developer Fee Report

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<th>Description</th>
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<tr>
<td>Dev Fees Collected</td>
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<td>Interest Collected</td>
<td>40,787.01</td>
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<tr>
<td>Prof/Consulting</td>
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<td>Equipment</td>
<td>(4,556.14)</td>
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<td>Debt Service</td>
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<td>Interest on Debt</td>
<td>(188,112.92)</td>
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<td>Dev. Fund Balance</td>
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<table>
<thead>
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<td>Life of Lease</td>
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<td>Paid To Date</td>
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<td>Balance Remaining</td>
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<td>Time Remaining (Yrs)</td>
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<td>Payments Remaining</td>
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Unadopted Minutes

A regular meeting of the Wheatland Union High School District Board of Trustees was held on Wednesday, April 10, 2019.

Trustees in attendance included Mrs. Shawndel Meder, Mrs. Patricia Agles, Mrs. Anna Newman and Mr. Frank D. Webb, Jr.

Also Present: Nicole Newman, Cy Olsen, Jesse Castillo, Annette Goodly, Melissa Soderlund, Anita Burns, Schandia Edwards, Ashley Freeman, Mona Hood and several students and community members.

1. CALL MEETING TO ORDER
   Member Shawndel Meder called the meeting to order at 4:30 p.m.

2. ESTABLISHMENT OF A QUORUM
   Mr. Tony Lopez, President Absent (arrived during closed session)
   Mrs. Shawndel Meder, Clerk Present
   Mrs. Patricia Agles, Member Present
   Mrs. Anna Newman, Member Present
   Mr. Frank D. Webb, Jr, Member Present
   Ms. Emily Wilkins, Student Board Member Absent (arrived 6:00 p.m.- open session)

3. PLEDGE OF ALLEGIANCE TO THE FLAG
   Member Meder led the pledge of allegiance.

4. CONFIRMATION OF THE AGENDA
   Superintendent Newman confirmed the agenda as presented.

5. RECOGNITION OF PERSONS HAVING BUSINESS WITH THE BOARD
   No one present addressed the Board.

6. CLOSED SESSION 4:31 p.m.
   Pursuant to Government Code §54957.6, the board will meet in closed session on the following matters.

   • STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918
     EXPULSION HEARING FOR STUDENT #11017 (2018-19-08)
     Education Code Section 35146 and 48918

   • STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918
     EXPULSION HEARING FOR STUDENT #11183 (2018-19-06)
     Education Code Section 35146 and 48918
• STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918
  EXPULSION HEARING FOR STUDENT #11070 (2018-19-09)
  Education Code Section 35146 and 48918

• PUBLIC EMPLOYEE PERFORMANCE EVALUATION -
  SUPERINTENDENT
  Pursuant to Government Code sec. 54957, the Board will meet in Closed Session for discussion
  regarding Superintendent’s evaluation.

• PUBLIC EMPLOYEE/PERSO
  Title: Certificated, Classified, Administration and Unrepresented
    Employees

• PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE /
  COMPLAINT
  Pursuant to Government Code sec. 54957

7. RECONVENED TO OPEN SESSION AT 6:02 p.m.
   Member Meder reported that no action was taken during closed session.

8. ACTION ON CLOSED SESSION ITEMS IF ANY
   Member Meder reported that no action was taken during closed session.

   ACTION NO. 18.152 (2018-19-08)

   MOTION by Frank D. Webb, Jr., seconded by Anna Newman, to approve Action No.
   18.152 regarding student #11070.

   • Webb – Aye
   • Newman – Aye
   • Agles – Aye
   • Meder – Aye
   • Lopez – Abstain
   • Wilkins - Abstain

   Vote: (4 Ayes, 0 Absent, 2 Abstentions) Motion carries.

   ACTION NO. 18.153 (2018-19-06)

   MOTION by Frank D. Webb, Jr., seconded by Patricia Agles, to approve Action No.
   18.153 regarding student #11183.

   • Webb – Aye
   • Newman – Aye
   • Agles – Aye
   • Meder – Aye
   • Lopez – Abstain
   • Wilkins - Abstain

   Vote: (4 Ayes, 0 Absent, 2 Abstentions) Motion carries.

   ACTION NO. 18.154 (2018-19-09)

   MOTION by Frank D. Webb, Jr., seconded by Anna Newman, to approve Action No.
   18.154 regarding student #11070.
9. **RECOGNITION OF PERSONS HAVING BUSINESS WITH THE BOARD**

No one present addressed the board.

10. **FFA STUDENT REPRESENTATIVE TO THE BOARD OF TRUSTEES**

FFA representatives, Nathan Gillmore and Joseph Granata, reported on the following:
   - Awards presented during the Gridley Field Day on March 30th.
   - Next week a group of chapter members will travel to southern California for the California State Conference to learn more about leadership.
   - FFA students continue to prepare for fair. This is a record year with the largest student participation ever reported.
   - The annual banquet will be held on May 23rd.

Superintendent Newman commented that Joseph Granata was selected to attend the Sacramento Spring FBI Academy. Joe leaves on Friday and will report back on his experiences during next month’s meeting.

11. **STUDENT AND STAFF RECOGNITIONS**

Mr. Cy Olsen recognized Drew Kier, Walker Lee, Julizza Sandoval and Phillip Sumayang as April’s Students of the Month. These students were elected to serve this summer as Wheatland Union High School’s Boys and Girls State Representatives. A statement was read from Mr. Jorrin stating that these students were selected for many reasons, including their leadership qualities, character and scholarship.

Mr. Jesse Castillo honored Anita Burns as Staff of the Month for April. Mrs. Burns is a bus driver for the special education program, and she uses her years of experience to help organize the transportation department’s records. Mr. Castillo praised Mrs. Burns for doing a great job serving our students and parents and being wonderful to work with.

12. **OPPORTUNITY FOR EMPLOYEE ORGANIZATIONS TO ADDRESS THE BOARD**

- BAFB Liaison – Mrs. Annette Goodly reported on the following:
  - April is the Month of the Military Child
  - April 26th – Groovy Day for kids. This event was postponed due to rain last weekend.
  - Purple Up Day - Everyone is invited to wear purple on April 18th in support of military kids.

- Booster President / Representative – President, Melissa Soderlund reported that the 2nd annual Corn Hole Tournament will be held at Bishop’s Pumpkin Farm on May 11th. The Board was invited to host a carnival game at the 3rd annual Piratefest to be held on June 1st at Bishop’s Pumpkin Farm.
Recruitment has begun for the next Booster's Board which will begin during June.

Mrs. Soderlund asked if the fields would be ready for the first football game of the 2019-20 season to which Superintendent Newman responded that she is confident the fields will be ready.

- Teachers Association (WHEAT) – no one present
- California School Employees Association (CSEA) – no one present

13. **SUPERINTENDENT’S REPORT**

Superintendent Newman reported on the following:

- The J-13A Request for Allowance of Attendance Because of Emergency Conditions, submitted due to the Camp Fire, was approved.
- WUHS will partner with Wheatland Elementary School District for Mr. O'Neal to teach one section of “Wheatland TV” during the 2019-20 school year. In trade, WUHS will bring their 8th graders to campus for Integrated Math I. The districts will share transportation costs.
- Installation of the additional security cameras on campus is nearly complete.
- A second mailing of the Senior Prank letter has been sent to parents, posted on the school’s webpage and included in the bulletin daily. Security has been hired to patrol the campus at night during the last few weeks of school.
- Culinary took a field trip to Bouchon Bistro in Yountville.
- Dual Enrollment with Yuba College will be offered for five classes next school year.
- The A-G submissions are reaching completion.

President Lopez addressed audience members regarding the Senior Prank letter. He stated that all items stated in the letter will be enforced.

➢ **Vice Principal**

Mr. Olsen reported on the following:

- Notification of the upcoming Educator of the Year Dinner was distributed to all Board members. This event will be held in the WUHS North Gym on May 2nd from 5:30-7:30 p.m. The following WUHS employees were selected:
  - Chris Jorrin – Certificated Teacher
  - Michele Gonzalez – Certificated New Teacher
  - Robin Embree – Classified

- CAASPP Testing – Juniors will test in classrooms and activities will be provided for Freshmen and Sophomores. Seniors who are on-track to graduate will not be required to be on campus until 10:45 a.m. or they may come early and participate in the early morning activities. Seniors who are not on-track for graduation are required to be on campus at their regular start time to work-on credit recovery. The CAST science test will be administered in May.

- Food Truck Friday will return after school on April 12th from 3:30-5:30 p.m.
Regular Meeting of the Board of Trustees
April 10, 2019 – Minutes

• The drama department will present Sleeping Beauty and the Beast on April 12th and 13th in the cafeteria at 6:00 p.m.

➢ Director of Fiscal Services
Mr. Castillo reported on the following:
• Bond Report (see attachment)
• Developer Fee Report (see attachment)

14. CONSENT AGENDA
Approval of the consent agenda as presented:

A. Approve minutes of the February 13, 2019 Regular Board Meeting

B. Approve minutes of the February 20, 2019 Special Board Meeting

C. Approve minutes of the March 13, 2019 Regular Board Meeting

D. Approve minutes of the March 22, 2019 Special Board Meeting

E. Approve bills and warrants for March 2019 in the amount of $455,495.09

F. Williams Uniform Complaints Report (January, February, March 2019)

G. Approve the retirement of Margaret Gledhill, teacher.

H. Accept the resignation of Alex Gutierrrez, Spanish teacher.

I. Approve hiring of the following personnel:
   1. Schandia Edwards, Assistant Principal
   2. Sarah Storm, Art/Ceramics Teacher
   3. Max Struble, English Teacher
   4. Amber Gage, Special Education Teacher
   5. Celeste Boggs, Summer School 2019 Teacher
   6. Nancy Kailiihiwa, Summer School 2019 Para-Educator

MOTION by Frank D. Webb, Jr., seconded by Patricia Agles to approve the consent agenda.

   • Webb – Aye
   • Newman - Aye
   • Agles - Aye

   • Meder - Aye
   • Lopez - Aye
   • Wilkins - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.

Superintendent Newman welcomed Schandia Edwards as the new Assistant Principal.

15. DEFERRED CONSENT ITEMS
There were no deferred consent items.

16. INFORMATION ITEMS

16.1 Bond Survey Results
Mr. Greg Isom from Isom Advisors presented survey results concerning the feasibility of placing a general obligation bond measure on an upcoming ballot. (Presentation attached.)

16.2 Textbook Adoption – Math
The math department is recommending the adoption of a new Pre-Calculus textbook as presented by Ms. Schandia Edwards. This textbook is of junior college level quality and will accommodate approximately 65 students with hardbound books and electronic access.

16.3 Facilities Sub-Committee – Superintendent Newman highlighted the following:
- During the upcoming summer projects, the South Gym, E-Wing and Conex boxes will be used for storage.
- The football field bleachers are on track for completion. The district will contract with an in-plant inspector as required. Monies from the bleacher account will be used to fund the cost of putting a logo on the gym bleachers, for a pirate’s logo wrap for the football field bleachers and to purchase light pole pennants for the parking lot.
- Trent Sommers from CA&SA Studios will be going to DSA next week regarding the portables and gym bleachers.
- Classroom modernization in C, D, F and G wings requires remodeling the office bathrooms. This project will be completed this summer.
- 75” televisions and 8’ whiteboards have been ordered to create a teaching wall in every classroom. Smartboards for the math department will be piloted.
- Athletic fields upgrades were discussed including the sprigging of the soccer fields and possible scenarios as to developing a sports complex on campus.
- The library will be converted to a college and career center (library books will remain). The current book room will be converted into offices for the counseling staff.
- Baseball and softball fields will be upgraded during the Fall of 2019.
- Bond projects include:
  - CTE Facilities Grant – three new ag classrooms and welding shop modernization
  - Cafeteria/Multipurpose Room
  - Locker Room/Weight Room Modernization
  - Roof
  - HVAC
  - Solar-Parking Lot Lighting
  - Cafeteria Modernization (when the new cafeteria/multipurpose room is constructed)

16.4 Athletic Sub-Committee
The Athletic Sub-Committee did not meet this month but will report during the May meeting.

16.5 Athletic Budget
Superintendent Newman highlighted the following items:
o Football helmet reconditioning costs of nearly $10,000 has been included in the LCAP.

o Volleyball poles and netting needs to be purchased this summer with bond and bridge financing monies.

o Tournaments – The district recommends that sports teams continue to fund their respective tournaments with the district contributing the larger expense of transportation cost.

o Gym bleachers are scheduled to be completed by late July.

o Uniform replacements are on a rotation schedule. Volleyball uniforms need to be replaced.

16.6 LCAP
Superintendent Newman highlighted the three LCAP goals which encapsulate the current five goals and explained the direction of each. Line item cost for each goal was detailed as included in the attached presentation.

16.7 3rd Quarter Grade Report
The D and F rate decreased from this time last year. A breakdown of grades by course is attached.

16.8 3rd Quarter Discipline Report
Mr. Olsen reported a total of 48 suspensions year-to-date for the 2018-19 school year. Of the 995 processed referrals, most were attributed to excessive tardies. The change over the 2017-18 school year was attributed to restorative justice practices and that teachers are handling more of their own discipline issues in the classroom. The number of tardies decreased after the tardy bell was instituted. There was an increase at the beginning of the second semester, but the number declined as students were retrained after Christmas break.

16.9 March 2019 Board Policy Updates (Approval on second reading)
A. First Reading of BP 1312.3 Uniform Complaint Procedures
B. First Reading of AR 1312.3 Uniform Complaint Procedures
C. First Reading of AR 1312.4 Williams Uniform Complaint Procedures
D. First Reading of E(1) 1312.4 Williams Uniform Complaint Procedures
E. First Reading of E(2) 1312.4 Williams Uniform Complaint Procedures
F. First Reading of AR 1340 Access to District Records

First read only. Consideration for approval during the May meeting.

17. INFORMATION / POSSIBLE ACTION

17.1 RESERVED RESTRICTED MAINTENANCE

Mr. Castillo explained that state funding requires 3% of total expenditures go toward maintenance. The district recommends increasing this amount to at least 4% and re-evaluating annually.

MOTION by Patricia Agles, seconded by Frank D. Webb, Jr. to approve increasing the reserved restricted maintenance to 4%.
18. **ACTION ITEMS**

18.1 **RATIFICATION OF BID AND CONTRACT FROM IMMER 1 AND AT&T UTILIZING Erate FUNDING**

**ACTION NO. 18.157**

**MOTION** by Patricia Agles, seconded by Emily Wilkins to ratify the bid and contract from Immer 1 and AT&T utilizing Erate funding.

- Webb – Aye
- Newman - Aye
- Agles - Aye
- Meder - Aye
- Lopez - Aye
- Wilkins - Aye

Vote: (6 Ayes, 0 Absent) Motion carries

18.2 **APPROVAL OF SUPERINTENDENT SALARY SCHEDULE**

**ACTION NO. 18.158**

President Lopez explained that the new Superintendent salary schedule consists of eight steps with a 3% increase between steps. This salary schedule is competitive for the area and he recommended approval.

**MOTION** by Patricia Agles, seconded by Nicole Newman to approve the Superintendent salary schedule as presented.

- Webb – Aye
- Newman - Aye
- Agles - Aye
- Meder - Aye
- Lopez - Aye
- Wilkins - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.

18.3 **APPROVAL OF SUPERINTENDENT CONTRACT**

**ACTION NO. 18.159**

President Lopez explained that the new contract would include salary modification based on a positive evaluation, aligning of vacation time, and the extension of contract until 2022.

**MOTION** by Patricia Agles, seconded by Emily Wilkins to approve the Superintendent contract as presented.

- Webb – Aye
- Newman - Aye
- Agles - Aye
- Meder - Aye
- Lopez - Aye
- Wilkins - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.
18.4 APPROVAL OF MOU FOR SCHOOL PSYCHOLOGIST SERVICES

ACTION NO. 18.160

Superintendent Newman explained this agreement with Wheatland Elementary School District (WESD) would replace WUHSD’s current psychologist. Cost of psychologist services would be split (50/50) between WUHSD and WESD. Each district would have services two and a half days per week as well as in the event of a crisis. This person will be a WESD employee and not part of WHEAT.

MOTION by Frank D. Webb, Jr., seconded by Anna Newman approve the MOU for school psychologist services.

- Webb – Aye
- Newman - Aye
- Agles - Aye
- Meder - Aye
- Lopez - Aye
- Wilkins - Aye

Vote: (6 Ayes, 0 Absent)  Motion carries

18.5 APPROVAL OF NEW BOND OVERSIGHT COMMITTEE MEMBERS

- Yolanda Cortez, Business Representative
- Shane Griego, Parent of child in district
- Julie Pringle, Parent of child in district
- Tami Umland, Parent of child in district active in site council

ACTION NO. 18.161

MOTION by Frank D. Webb, Jr., seconded by Patricia Agles to approve the new Bond Oversight Committee members.

- Webb – Aye
- Newman - Aye
- Agles - Aye
- Meder - Aye
- Lopez - Aye
- Wilkins - Aye

Vote: (6 Ayes, 0 Absent)  Motion carries

19. BOARD MEMBER REPORTS / COMMENTS

- Mr. Frank D. Webb, Jr. requested that student athlete classes be scheduled with academic classes early in the day to reduce the amount of time absent due to attending school athletic events. Superintendent Newman indicated that this issue has already been addressed in the 2019-20 master schedule.

- Mrs. Anna Newman submitted a proposal to present at the upcoming CSBA conference.

- Mrs. Patricia Agles attended the Culinary field trip to Yountville and reported that the students enjoyed the experience.

- Miss Emily Wilkins reported the following:
  - AVID students returned from the UC Merced field trip.
  - Food trucks will be in the quad on Friday after school.
  - Relay for Life will take place at the end of April. AVID and Interact Club teams will be participating.
AVID college week is scheduled for the end of April / first of May. 
Prom will be held on May 4th.

Mrs. Shawndel Meder expressed concern amongst the medical community regarding the emerging measles cases. She encouraged everyone to make sure their boosters are current.

She also reported that Abby Meder competed in the Arcadia track meet in shot put and discus, winning both events and qualifying for the prestigious Invitational competition. Abby represented Wheatland Union High School extremely well in her performance and poise displayed during interviews.

Mr. Tony Lopez commented on today’s Code Red Yuba/Sutter County emergency notification test which sends out text and phone announcements to all who sign up.

Mr. Lopez will be participating for the seventh year in the Walk a Mile fundraiser in support of WEAVE’s (Women Escaping a Violent Environment) 24-hour call center. This event will be held May 19th in downtown Sacramento. All men were encouraged to participate in this event and women were invited to come out in support.

Mr. Lopez commented on the opening of Walker’s Wine and Brew House in Wheatland. Superintendent Newman assured President Lopez that processes were being followed as to in-kind contributions supporting Culinary’s ProStart team and student on-campus work experience in food preparation for the establishment.

Superintendent Newman congratulated Teah Buchan, Tara Lamb, Natalie Paramo and Ryleigh Webb who participated in the National Letter of Intent Signing Day on April 1st. Another “signing day” will be held next month.

20. CLOSED SESSION 7:39 p.m.
Continued Board discussion on the following:

- PUBLIC EMPLOYEE/PERSONNEL
  - Title: Certificated, Classified, Administration and Unrepresented Employees

- PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE / COMPLAINT
  Pursuant to Government Code sec. 54957

21. RECONVENED TO OPEN SESSION AT 7:54 p.m.

22. ACTION ON CLOSED SESSION ITEMS IF ANY
Member Meder reported that no action was taken during closed session.

23. ITEMS TO BE AGENDIZED FOR THE NEXT REGULAR MEETING
- P-2 Attendance Report
- Master Schedule (including current enrollment)
- Staffing Report
Graduation Requirements, WUHS and Community Day School
LCAP Revisions
Board Policy Updates
Upcoming Facility Projects
Bleacher Contract

24. **ADJOURNMENT - ACTION ITEM NO. 18.162**

**MOTION** by Tony Lopez, seconded by Frank D. Webb, Jr., to adjourn at 7:57 p.m. All yeas. Motion carries.

Respectfully Submitted:

Nicole Newman  
Superintendent

Shawndel Meder  
Clerk

Date  
Date
Unadopted Minutes

A special meeting of the Wheatland Union High School District Board of Trustees was held on Thursday, April 25, 2019.

Trustees in attendance included Mr. Tony Lopez, Mrs. Shawndel Meder, Mrs. Patricia Agles, and Mrs. Anna Newman.

Also Present: Nicole Newman and Cy Olsen

1. CALL MEETING TO ORDER
   President Lopez called the meeting to order at 5:30 p.m.

2. ESTABLISHMENT OF A QUORUM
   Mr. Tony Lopez, President Present
   Mrs. Shawndel Meder, Clerk Present
   Mrs. Patricia Agles, Member Present
   Mrs. Anna Newman, Member Present
   Mr. Frank D. Webb, Jr, Member Absent

3. PLEDGE OF ALLEGIANCE TO THE FLAG
   Member Meder led the pledge of allegiance.

4. CONFIRMATION OF THE AGENDA
   Superintendent Newman confirmed the agenda as presented.

5. RECOGNITION OF PERSONS HAVING BUSINESS WITH THE BOARD
   No one addressed the board.

6. CLOSED SESSION
   Pursuant to Government Code §54957.6, the board will meet in closed session on the following matters.
   - STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918
     EXPULSION HEARING FOR STUDENT #10894 (2018-19-07)
     Education Code Section 35146 and 48918

7. RECOVENE TO OPEN SESSION AT 8:20 P.M.
   President Lopez reported that no action was taken during closed session.
8. **ACTION ON CLOSED SESSION ITEMS IF ANY**

**ACTION NO. 18.163 (2018-19-07)**

**MOTION** by Shawndel Meder, seconded by Patricia Agles to approve Resolution No. 18.163 regarding student #10894.

- Webb – Absent
- Newman – Aye
- Agles – Aye

Vote: (4 Ayes, 1 Absent) Motion carries.

9. **ADJOURNMENT - ACTION NO. 18.164**

**MOTION** by Anna Newman, seconded by Shawndel Meder to adjourn at 8:25 p.m.

- Webb – Absent
- Newman – Aye
- Agles – Aye

Vote: (4 Ayes, 1 Absent) Motion carries.

Respectfully Submitted:

__________________________________________  ______________________________________
Nicole Newman                                      Shawndel Meder
Superintendent                                    Clerk

__________________________________________  ______________________________________
Date                                              Date
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The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.
## Board Report

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**Fund Recap**

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**Total Number of Checks** 80  
**Expensed Amount** 209,350.64

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.
STUDENT ATHLETE DRUG TESTING PROCEDURES

Wheatland Union High School District (“District”) is conducting a mandatory drug testing program for student athletes. The Governing Board is committed to providing a safe, drug-free school environment to maximize the health and safety of district students and to protect them from dangers associated with illegal drug use and drug abuse. To support the district’s drug abuse prevention efforts, the Board desires to establish a drug testing program in the district’s high schools that will discourage illegal drug use among students and timely identify and refer drug users to appropriate counseling and rehabilitative services.

DEFINITIONS:

Drugs and Alcohol: Prohibited substances shall include, but are not limited to, alcohol, or any alcoholic beverage, inhalants that alter a student’s ability to act, think, or respond, LSD, or any other hallucinogen, marijuana, cocaine, heroin, or any other narcotic drug, PCP, amphetamines, steroids, “designer drugs,” look-alike drugs, tobacco, or any controlled substance.

Student Athlete: Any student participating in interscholastic athletic programs sponsored by the District.

Sport Season: Fall, winter, and spring seasons begin on the first day of practice allowed by the California Interscholastic Federation and end the day prior to the beginning date of practice of the next season.

PROCEDURES FOR STUDENT ATHLETES:

Consent: Each student wishing to participate in any interscholastic athletic program and the student’s custodial parent(s) or guardian(s) shall consent in writing to drug testing pursuant to the District’s drug testing program. Written consent shall be in the form attached to this policy as Exhibit “A”. No student shall be allowed to participate in any interscholastic athletic program absent such consent.

Student Selection: At the option of the District, all student athletes may be drug tested at the beginning of any athletic season. In addition, random testing may be conducted during the school year. Selection for random testing will be via a random number generating computer program. The District shall take all reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not limited to, assuring that the names of all participating student athletes are in the appropriate test group, assuring that the person matching names to computer generated numbers has no way of knowingly choosing or failing to choose particular students for testing, assuring that the identity of students selected for testing is not known to those involved in the selection process and assuring direct observation of the selection process by at least two persons.

SAMPLE SELECTION:

Samples will be collected at a mutually convenient time on the same day the student is selected for testing. If a student is selected and summoned to the testing area but fails to appear, or attempts to falsify a sample in any way, they will be treated the same as if they tested positive. If a student is unable to produce a sample at any time, the student will be required to remain in the testing area until a sample is provided.

All students providing samples will be given the option of doing so alone in an individual stall with the door closed. If a sample is deemed “dilute”, a follow-up test will be performed.


**PRESCRIPTION MEDICATION:**

Students who are taking prescription medication which causes a positive test will have the opportunity to provide documentation from their medical doctor or pharmacist to a designated medical review officer within five (5) business days of notification of a positive result. Such information provided by the student will not be disclosed to any school official. Students who refuse to provide verification and test positive will be subject to the actions specified below for “positive tests.”

**SCOPE OF TESTS:**

The testing lab will be instructed to test for one or more illegal drugs. The District shall decide which illegal drugs shall be screened, but in no event shall that determination be made after selection of students for testing. Student athlete samples will not be screened for the presence of any substances other than an illegal drug or for the existence of any physical condition other than drug intoxication.

**LIMITED ACCESS TO RESULTS:**

The testing lab will be authorized to report results only to the Superintendent or to such person(s) as the Superintendent may designate in the event the Superintendent is absent.

**PROCEDURES IN THE EVENT OF A POSITIVE RESULT:**

Whenever a student athlete’s test result indicates the presence of illegal drugs (“positive test”), the following will occur:

**FIRST POSITIVE RESULT:**

The student athlete will be suspended from participation in interscholastic athletics for a period of twenty (20) school days, will be required to successfully complete a re-entry drug test, and will be subject to random drug testing for the remainder of the academic year.

**SECOND POSITIVE RESULT:**

For the second positive result in any two consecutive calendar years, the student athlete will be suspended from participating in interscholastic athletics for one (1) calendar year. The student athlete may be readmitted to participation in interscholastic athletics upon successful completion of a drug assistance program and a re-entry drug test.

**THIRD POSITIVE RESULT:**

For the third positive result in any two consecutive calendar years, the student athlete will be suspended from participating in interscholastic athletics for one (1) calendar year. The student athlete may be readmitted to participation in interscholastic athletics upon successful completion of a drug assistance program and a re-entry drug test.

**NON-PUNITIVE NATURE OF POLICY:**

No student athlete shall be penalized academically for testing positive for illegal drugs. The results of drug tests pursuant to this policy will not be documented in any student’s academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the District shall not solicit. In the event of service of any such subpoena or legal process, the student’s custodial parent or legal guardian will be notified at least 24 hours before response is made by the District.
EXHIBIT “A”

STUDENT ATHLETE DRUG TESTING POLICY GENERAL AUTHORIZATION FORM

I understand that my performance as a participant and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the standards, rules, and regulations set forth by the Wheatland Union High School District and the sponsors for the activity in which I participate.

I also authorize Wheatland Union High School District to conduct a test(s) on a urine specimen(s) which I provide to test for drug use. I understand that I may be randomly tested throughout the school year.

I also authorize the release of information concerning the results of such a test(s) to the Superintendent or his/her designees and to my parent and/or guardian.

This shall be deemed a consent pursuant to the Family Education Right to Privacy Act for the release of above information to the parties named above.

__________________________________________      ____________________
Student Signature                                    Date

__________________________________________      ____________________
Parent or Guardian Signature                        Date
## End of Year Athletic Participation Date 2017-18

School Enrollment: 799

Girls: 403  
Boys: 396

### Athletic Participation Total:

<table>
<thead>
<tr>
<th>Boys</th>
<th>Girls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball – JV &amp; Varsity</td>
<td>Softball – JV &amp; Varsity</td>
</tr>
<tr>
<td>24</td>
<td>26</td>
</tr>
<tr>
<td>Basketball – Frosh, JV &amp; Varsity</td>
<td>Basketball – Frosh, JV &amp; Varsity</td>
</tr>
<tr>
<td>32</td>
<td>32</td>
</tr>
<tr>
<td>Cross Country</td>
<td>Cross Country</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Football – Frosh, JV &amp; Varsity</td>
<td>Football – Frosh, JV &amp; Varsity</td>
</tr>
<tr>
<td>88</td>
<td>1</td>
</tr>
<tr>
<td>Golf</td>
<td>Golf</td>
</tr>
<tr>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Soccer</td>
<td>Soccer</td>
</tr>
<tr>
<td>22</td>
<td>24</td>
</tr>
<tr>
<td>Track &amp; Field – JV &amp; Varsity</td>
<td>Track &amp; Field – JV &amp; Varsity</td>
</tr>
<tr>
<td>22</td>
<td>19</td>
</tr>
<tr>
<td>Volleyball</td>
<td>Tennis</td>
</tr>
<tr>
<td>7</td>
<td>12</td>
</tr>
<tr>
<td>Wrestling – JV &amp; Varsity</td>
<td>Volleyball – Frosh, JV &amp; Varsity</td>
</tr>
<tr>
<td>10</td>
<td>38</td>
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<tr>
<td>Trap Shooting</td>
<td>Wrestling – JV &amp; Varsity</td>
</tr>
<tr>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>Cheer – Sideline</td>
<td>Trap Shooting</td>
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<tr>
<td>Frosh, JV &amp; Varsity</td>
<td></td>
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<tr>
<td>60</td>
<td>2</td>
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<tr>
<td>Total</td>
<td>Total</td>
</tr>
<tr>
<td>222</td>
<td>219</td>
</tr>
</tbody>
</table>

### Boys’ Sports – 7

- Baseball – JV & Varsity
- Basketball – Frosh, JV & Varsity
- Soccer
- Volleyball
- Wrestling – JV & Varsity
- Trap Shooting

### Girls’ Sports - 13

- Softball – JV & Varsity
- Basketball – Frosh, JV & Varsity
- Soccer
- Volleyball – Frosh, JV & Varsity
- Tennis
- Cheer – Frosh, JV & Varsity

### Co-Ed Sports - 10

- Cross Country
- Football – Frosh, JV & Varsity
- Golf
- Track & Field – JV & Varsity
- Wrestling – JV & Varsity
- Trap Shooting
Wheatland Un HSD
Board Policy
High School Graduation Requirements

BP 6146.1
Instruction

The Board of Trustees desires to prepare all students to obtain a high school diploma so that they can take advantage of opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)
(cf. 5147 - Dropout Prevention)
(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements (Class of 2018-2020) – Wheatland Union High School

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English (Education Code 51225.3)
   (cf. 6142.91 - Reading/Language Arts Instruction)

2. Three courses in mathematics (Education Code 51225.3)
   At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12. (Education Code 51224.5)
   Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. (Education Code 51225.3, 51225.35)
   (cf. 6142.92 - Mathematics Instruction)
   (cf. 6152.1 - Placement in Mathematics Courses)

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)
   (cf. 6142.93 - Science Instruction)
4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics  (Education Code 51225.3)

(cf. 6142.3 - Civic Education)
(cf. 6142.94 - History-Social Science Instruction)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE)  (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code  (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

7. One course in computers or technology.

8. One semester in geography.

9. One semester in health.

10. Seventy WUHS elective credits.

Course Requirements (Class of 2021-Beyond 2022) Wheatland Union High School

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English  (Education Code 51225.3)
2. Three courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12.

(Education Code 51224.5)

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. (Education Code 51225.3, 51225.35)

(cf. 6142.92 - Mathematics Instruction)
(cf. 6152.1 - Placement in Mathematics Courses)

3. Three courses in science, including biological and physical sciences (Education Code 51225.3)

(cf. 6142.93 - Science Instruction)

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

(cf. 6142.3 - Civic Education)
(cf. 6142.94 - History-Social Science Instruction)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE) (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)

Because the prescribed course of study may not accommodate the needs of some students, the
Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

7. One semester in geography.

8. One semester in health.

9. Seventy WUHS elective credits.

Course Requirements (Class of 2023 and Beyond) Wheatland Union High School

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English  (Education Code 51225.3)
   (cf. 6142.91 - Reading/Language Arts Instruction)

2. Three courses in mathematics  (Education Code 51225.3)
   At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12.  (Education Code 51224.5)
   Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission.  (Education Code 51225.3, 51225.35)
   (cf. 6142.92 - Mathematics Instruction)
   (cf. 6152.1 - Placement in Mathematics Courses)

3. Three courses in science, including biological and physical sciences  (Education Code 51225.3)
   (cf. 6142.93 - Science Instruction)

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics  (Education Code 51225.3)
5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE) (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

7. One semester in geography.

8. One semester in health.

7. One course in a Career and Technical Education Pathway.

8. Pirate FOCUS using the Get Focused Stay Focused Curriculum.


Course Requirements (Class of 2023 and Beyond) Edward P. Duplex and Wheatland Community Day High

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Three courses in English (Education Code 51225.3)

(cf. 6142.3 - Civic Education)
(cf. 6142.94 - History-Social Science Instruction)
2. Two courses in mathematics  (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. (Education Code 51224.5)

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission.  (Education Code 51225.3, 51225.35)

(cf. 6142.92 - Mathematics Instruction)
(cf. 6152.1 - Placement in Mathematics Courses)

3. Two courses in science, including biological and physical sciences  (Education Code 51225.3)

(cf. 6142.93 - Science Instruction)

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics  (Education Code 51225.3)

(cf. 6142.3 - Civic Education)
(cf. 6142.94 - History-Social Science Instruction)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE)  (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code  (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.
7. Seventy elective credits.

Exemptions and Waivers

A foster youth, homeless student, former juvenile court school student, or child of a military family who transfers into the district any time after completing his/her second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code 51225.1)

Retroactive Diplomas

Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 51413)

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. A deceased former student who satisfies these conditions may be granted a retroactive diploma to be received by his/her next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

Legal Reference:
EDUCATION CODE
47612 Enrollment in charter school
48200 Compulsory attendance
48412 Certificate of proficiency
48430 Continuation education schools and classes
48645.5 Acceptance of coursework
48980 Required notification at beginning of term
49701 Interstate Compact on Educational Opportunity for Military Children
51224 Skills and knowledge required for adult life
51224.5 Algebra instruction
51225.1 Exemption from district graduation requirements
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
51225.35 Mathematics course requirements; computer science
51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation
51225.5 Honorary diplomas; foreign exchange students
51225.6 Compression-only cardiopulmonary resuscitation
51228 Graduation requirements
51240-51246 Exemptions from requirements
51250-51251 Assistance to military dependents
51410-51413 Diplomas
51420-51427 High school equivalency certificates
51430 Retroactive high school diplomas
51440 Retroactive high school diplomas
51450-51455 Golden State Seal Merit Diploma
51745 Independent study restrictions
56390-56392 Recognition for educational achievement, special education
66204 Certification of high school courses as meeting university admissions criteria
67386 Student safety; affirmative consent standard

CODE OF REGULATIONS, TITLE 5
1600-1651 Graduation of students from grade 12 and credit toward graduation
4600-4687 Uniform complaint procedures

COURT DECISIONS

Management Resources:
WEB SITES
CSBA: http://www.csba.org
University of California, List of Approved a-g Courses:
http://www.universityofcalifornia.edu/admissions/freshman/requirements

Policy WHEATLAND UNION HIGH SCHOOL DISTRICT
adopted: September 14, 2018 Wheatland, California
Community Relations

UNIFORM COMPLAINT PROCEDURES

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal laws or regulations governing any program subject to the UCP which is offered by the district, including adult education programs; After School Education and Safety programs; agricultural career technical education; American Indian education centers and early childhood education program assessments; bilingual education; California Peer Assistance and Review programs for teachers; state career technical and technical education, career technical, and technical training programs; federal career technical education; child care and development programs; child nutrition programs; compensatory education; consolidated categorical aid programs; Economic Impact Aid; the federal Every Student Succeeds Act; migrant education; Regional Occupational Centers and Programs; school safety plans; special education programs; California State Preschool Programs; Tobacco-Use Prevention Education programs; and any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code 64000

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5131.62 - Tobacco)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2. Any complaint, by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) in district programs and
activities, including in those programs or activities funded directly by or that receive or
benefit from any state financial assistance, based on the person's actual or perceived
characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements (Education Code 46015)

5. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)
(cf. 3320 - Claims and Actions Against the District)

6. Any complaint alleging district noncompliance with applicable requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)
UNIFORM COMPLAINT PROCEDURES (continued)

7. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64000-64001, 65000-65001)
(c.f. 0420 - School Plans/Site Councils)

8. Any complaint, by or on behalf of a student who is a foster youth as defined in Education Code 51225.2, alleging district noncompliance with any requirement applicable to the student regarding placement decisions; the responsibilities of the district's educational liaison to the student; the award of credit for coursework satisfactorily completed in another school, district, or country; school or records transfer; or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)
(c.f. 6173.1 - Education for Foster Youth)

9. Any complaint, by or on behalf of a student who transfers into the district after the second year of high school and is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student currently enrolled in the district, a child of a military family as defined in Education Code 49701, or a migrant student as defined in Education Code 54441, or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code 51225.2 in the third or fourth year of high school, alleging district noncompliance with any requirement applicable to the student regarding the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1)
(c.f. 6173 - Education for Homeless Children)
(c.f. 6173.2 - Education of Children of Military Families)
(c.f. 6173.3 - Education for Juvenile Court School Students)

10. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a military family as defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district, or country (Education Code 51225.2)

11. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to
a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

12. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

13. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.
UNIFORM COMPLAINT PROCEDURES  (continued)

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division and the appropriate law enforcement agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
UNIFORM COMPLAINT PROCEDURES  (continued)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32280-32289 School safety plan, uniform complaint procedures
33380-33384 California Indian Education Centers
35186 Williams uniform complaint procedures
44500-44508 California Peer Assistance and Review Program for Teachers
46015 Parental leave for students
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49014 Student fees
49060-49079 Student records, especially:
49069.5 Records of foster youth
49490-49590 Child nutrition programs
49701 Interstate Compact on Educational Opportunity for Military Children
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements
51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan, especially;
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52462 Career technical education
52500-52516.24 Adult schools
54000-54029 Economic Impact Aid
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56865 Special education programs
59000-59300 Special schools and centers

Legal Reference continued:  (see next page)
UNIFORM COMPLAINT PROCEDURES  (continued)

Legal Reference:  (continued)

EDUCATION CODE  (continued)
64000-64001  Consolidated application process; school plan for student achievement
65000-65001  School site councils
GOVERNMENT CODE
11135  Nondiscrimination in programs or activities funded by state
12900-12996  Fair Employment and Housing Act
HEALTH AND SAFETY CODE
1596.792  California Child Day Care Act; general provisions and definitions
1596.7925  California Child Day Care Act; health and safety regulations
104420  Tobacco-Use Prevention Education
PENAL CODE
422.55  Hate crime; definition
422.6  Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 2
11023  Harassment and discrimination prevention and correction
CODE OF REGULATIONS, TITLE 5
3080  Applicability of uniform complaint procedures to complaints regarding students with disabilities
4600-4670  Uniform complaint procedures
4680-4687  Williams uniform complaint procedures
4900-4965  Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1221  Application of laws
1232g  Family Educational Rights and Privacy Act
1681-1688  Title IX of the Education Amendments of 1972
6301-6576  Title I Improving the Academic Achievement of the Disadvantaged
6801-7014  Title III language instruction for limited English proficient and immigrant students
UNITED STATES CODE, TITLE 29
794  Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17  Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-200hh-6  Title IX of the Civil Rights Act of 1964
6101-6107  Age Discrimination Act of 1975
12101-12213  Title II equal opportunity for individuals with disabilities
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107  Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67  Family Educational Rights and Privacy Act
100.3  Prohibition of discrimination on basis of race, color or national origin
104.7  Designation of responsible employee for Section 504
106.8  Designation of responsible employee for Title IX
106.9  Notification of nondiscrimination on basis of sex
110.25  Notification of nondiscrimination on the basis of age

Management Resources:  (see next page)
UNIFORM COMPLAINT PROCEDURES (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample UCP Board Policies and Procedures

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter, September 22, 2017
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Family Policy Compliance Office: https://www2.ed.gov/policy/gen/guid/fpco
U.S. Department of Justice: http://www.justice.gov
COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 4030 - Nondiscrimination in Employment)

COMPLIANCE OFFICERS

The district designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Nicole Newman, Superintendent
(title or position)
Wheatland Union High School District Office
(unit or office)
1010 Wheatland Road – Wheatland, CA 95692
(address)
530-633-3100 ext. 101
(telephone number)
nnewman@wheatlandhigh.org
(email)
The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)
(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy.
UNIFORM COMPLAINT PROCEDURES (continued)

2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3260 - Fees and Charges)

3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities

4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred

5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)
(cf. 6175 - Migrant Education Program)

6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints

7. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant

8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision

9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable

10. A statement that copies of the district's UCP are available free of charge

AR 1312.3(d)
UNIFORM COMPLAINT PROCEDURES (continued)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)

2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)

AR 1312.3(e)
UNIFORM COMPLAINT PROCEDURES (continued)

3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by persons who allege that they have personally suffered unlawful discrimination or who believe that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

AR 1312.3(f)
The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)
UNIFORM COMPLAINT PROCEDURES (continued)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Timeline for Final Decision

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the district's final written decision at the same time it is provided to the complainant.
UNIFORM COMPLAINT PROCEDURES (continued)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant, shall be sent the district's final written decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

For all complaints, the district's final written decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
   a. Statements made by any witnesses
   b. The relative credibility of the individuals involved
   c. How the complaining individual reacted to the incident
   d. Any documentary or other evidence relating to the alleged conduct
   e. Past instances of similar conduct by any alleged offenders
   f. Past false allegations made by the complainant

2. The conclusion(s) of law

3. Disposition of the complaint

4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

a. The manner in which the misconduct affected one or more students' education

b. The type, frequency, and duration of the misconduct
c. The relationship between the alleged victim(s) and offender(s)

d. The number of persons engaged in the conduct and at whom the conduct was directed

e. The size of the school, location of the incidents, and context in which they occurred

f. Other incidents at the school involving different individuals

5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

a. The corrective actions imposed on the respondent

b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.

c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence

6. Notice of the complainant's and respondent's right to appeal the district's decision to CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.
UNIFORM COMPLAINT PROCEDURES  (continued)

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language pursuant to Education Code 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)

2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

(cf. 5137 - Positive School Climate)

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling

(cf. 6164.2 - Guidance/Counseling Services)

2. Academic support
UNIFORM COMPLAINT PROCEDURES  (continued)

3. Health services

4. Assignment of an escort to allow the victim to move safely about campus

5. Information regarding available resources and how to report similar incidents or retaliation

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim

7. Restorative justice

8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law

2. Parent/guardian conference

3. Education regarding the impact of the conduct on others

4. Positive behavior support

5. Referral to a student success team

(cf. 6164.5 - Student Success Teams)

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

7. Disciplinary action, such as suspension or expulsion, as permitted by law

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

 Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision. (5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and how the facts of the district's decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's decision in that complaint. (5 CCR 4632)
When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, the respondent, in the same manner as the complainant, may file an appeal with CDE.

Upon notification by CDE that the district's decision has been appealed, the Superintendent or designee shall forward the following documents to CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's UCP
7. Other relevant information requested by CDE
Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
   a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
   b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
   c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
   d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
   a. A semester begins and a teacher vacancy exists.
   b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

(cf. 4112.22 - Staff Teaching English Learners)

   c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

   *Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

AR 1312.4(b)
**Beginning of the year or semester** means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

**Misassignment** means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)

   a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

   **Emergency or urgent threat** means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

   b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

   **Clean or maintained school restroom** means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

   **Open restroom** means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of

AR 1312.4(c)
restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

In any district school serving any of grades 6-12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, as defined in 20 USC 6314, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products.

(cf. 3514 - Environmental Safety)  
(cf. 3517 - Facilities Inspection)

**Forms and Notices**

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)
WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 8235.5, 35186; 5 CCR 4680)

The Superintendent or designee shall post in each K-12 classroom in each school a notice containing the components specified in Education Code 35186. In each license-exempt CSPP classroom, a notice containing the components specified in Education Code 8235.5 shall be posted. (Education Code 8235.5, 35186)

Filing of Complaint

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee as appropriate, at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 8235.5, 35186; 5 CCR 4680)

Investigation and Response

The principal or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within their authority. (Education Code 8235.5, 35186; 5 CCR 4685)

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 8235.5, 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8235.5, 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 8235.5, 35186)
WILLIAMS UNIFORM COMPLAINT PROCEDURES  (continued)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 8235.5, 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a or #4 in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 8235.5, 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 8235.5, 35186; 5 CCR 4686)

(cf. 1340 - Access to District Records)

Reports

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 8235.5, 35186; 5 CCR 4686)

Legal Reference: (see next page)
WILLIAMS UNIFORM COMPLAINT PROCEDURES  (continued)

Legal Reference:

EDUCATION CODE
234.1 Prohibition of discrimination, harassment, intimidation, and bullying
1240 County superintendent of schools, duties
8235-8239.1 California State Preschool Programs, especially:
8235.5 California State Preschool Program, complaints regarding health and safety issues
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School accountability report card
35186 Williams uniform complaint procedures
35292.5-35292.6 Restrooms, maintenance and cleanliness
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials

HEALTH AND SAFETY CODE
1596.792 California Child Day Care Act; general provisions and definitions
1596.7925 California Child Day Care Act; health and safety regulations

CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures

UNITED STATES CODE, TITLE 20
6314 Title I schoolwide program

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California County Superintendents Educational Services Association: http://www.ccesea.org
California Department of Education, Williams case:  http://www.cde.ca.gov/ee/ce/wc
State Allocation Board, Office of Public School Construction: http://www.opsc.dgs.ca.gov
NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS:
K-12 COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. That means each student, including an English learner, must have a textbook or instructional materials, or both, to use in class and to take home.

2. School facilities must be clean, safe, and maintained in good repair.

3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

   *Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

   *Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's Williams uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site: http://www.cde.ca.gov/re/cp/uc. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.
WILLIAMS UNIFORM COMPLAINT PROCEDURES

K-12 COMPLAINT FORM:
WILLIAMS UNIFORM COMPLAINT PROCEDURES

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ☐ Yes ☐ No

Contact information: (if response is requested)
Name: ____________________________
Address: ____________________________
Phone number: Day: ____________________________ Evening: ____________________________
E-mail address, if any: ____________________________

Date problem was observed: ____________________________

Location of the problem that is the subject of this complaint:
School name/address: ____________________________
Course title/grade level and teacher name: ____________________________
Room number/name of room/location of facility: ____________________________

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

☐ A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.

☐ A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.

☐ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

- A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)

- A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

- A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)

- A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.

- A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.

- For a school that serves students in any of grades 6-12 with 40 percent of more of its students from low-income families, as defined, the school has not stocked at least half of its restrooms with feminine products at all times and made those products available to students at no cost.

- The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for student safety or to make repairs.
WILLIAMS UNIFORM COMPLAINT PROCEDURES  (continued)

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of students or staff.

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

Please file this complaint at the following location:

______________________________________________  ______________________________________
(principal or designee)  (address)

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

___________________________________________________________________________  ______________________________________
(Signature)  (Date)
Community Relations

ACCESS TO DISTRICT RECORDS

Definitions

*Public records* include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(cf. 3580 - District Records)
(cf. 9012 - Board Member Electronic Communications)

*Writing* means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

*Member of the public* means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of such membership, agency, office, or employment. (Government Code 6252)

Public Records

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits  (Education Code 41020, 42103)

(cf. 3100 - Budget)
(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations

3. Reports and memoranda

4. Notices and bulletins

5. Minutes of public meetings  (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

6. Meeting agendas  (Government Code 54957.5)

(cf. 9322 - Agenda/Meeting Materials)
7. Official communications between the district and other government agencies

8. District and school plans, and the information and data relevant to the development and evaluation of such plans, unless otherwise prohibited by law

(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 7110 - Facilities Master Plan)

9. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

10. Records pertaining to claims and litigation against the district which have been adjudicated or settled (Government Code 6254, 6254.25)

(cf. 3320 - Claims and Actions Against the District)

11. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)

(cf. 9270 - Conflict of Interest)

12. Documents containing names, salaries, and pension benefits of district employees

13. Employment contracts and settlement agreements (Government Code 53262)

(cf. 2121 - Superintendent's Contract)
(cf. 4117.5/4217.5/4317.5 - Termination Agreements)
(cf. 4141/4241 - Collective Bargaining Agreement)

14. Instructional materials including, but not limited to, textbooks (Education Code 49091.10)

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Access to public records of the district shall be granted to Governing Board members on the same basis as any other member of the public. When Board members are authorized to access
ACCESS TO DISTRICT RECORDS (continued)

public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record. (Government Code 6254.29, 6254.3)

Confidential Public Records

Unless otherwise authorized or required by law, information regarding an individual's citizenship or immigration status or religious beliefs, practices, or affiliation shall not be disclosed to federal government authorities. (Education Code 234.7; Government Code 8310.3)

(cf. 5145.13 - Response to Immigration Enforcement)

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, and interagency or intradistrict memoranda that are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

2. Records specifically generated in connection with or prepared for use in litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25)

3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
ACCESS TO DISTRICT RECORDS (continued)

The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees may only be disclosed as follows: (Government Code 6254.3)

a. To an agent or a family member of the employee

b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties

c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed

Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, or birth date, and the district shall remove this information from any mailing list of the district except a list used exclusively to contact the employee.

(cf. 4140/4240/4340 - Bargaining Units)

d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

(cf. 4154/4254/4354 - Health and Welfare Benefits)

4. Student records, except directory information and other records to the extent permitted under the law, when disclosure is authorized by law

(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 5125.3 - Challenging Student Records)

5. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.51 - State Academic Achievement Tests)

6. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative

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ACCESS TO DISTRICT RECORDS (continued)
to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

7. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in an unfair competitive disadvantage to the person supplying the information (Government Code 6254)

8. Library circulation and patron use records of a borrower or patron including, but not limited to, name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to persons acting within the scope of their duties in the administration of the library, to persons authorized in writing by the individual to whom the records pertain, or by court order (Government Code 6254, 6267)

(cf. 6163.1 - Library Media Centers)

9. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

10. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

11. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

(cf. 9223 - Filling Vacancies)

12. Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session Purposes and Agendas)

13. Computer software developed by the district (Government Code 6254.9)

14. Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the district's information technology system (Government Code 6254.19)

AR 1340(f)

ACCESS TO DISTRICT RECORDS (continued)
15. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

(cf. 5141.6 - School Health Services)

16. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

17. Any other records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

**Inspection of Records and Requests for Copies**

Any person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of the determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request

2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request

3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request

AR 1340(g)

**ACCESS TO DISTRICT RECORDS** (continued)
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's website and, in response to a public records request, directing the member of the public to the location on the website where the record can be found. However, if the member of the public is unable to access or reproduce the record from the website, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.

AR 1340(h)

ACCESS TO DISTRICT RECORDS (continued)
The request would require data compilation, extraction, or programming to produce the record.

**Assistance in Identifying Requested Records**

If the Superintendent or designee denies a request for disclosable records, the requester shall be assisted in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

   If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist

3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)
B.T. MANCINI CO., INC.

876 S. Milpitas Blvd.
P.O. Box 361930
Milpitas, CA 95035

(408)942-7900
(408)945-1360
btmancini.com

TO: Wheatland Union High School District
ATTN: Nicole K. Newman
PHONE: 530-633-3100
EMAIL: nnewman@wheatlandhigh.org

DATE: March 13th, 2019
NAME OF JOB: Wheatland Union High School
LOCATION: Wheatland, CA
PLANS: NA
DATE OF PLANS: NA

We propose to: Furnish ☐ furnish and install ☒ install only ☐ the following for the above project in accordance with the following terms and conditions and those appearing on the reverse side of this sheet.

**Drawings:** NA. No Drawings provided.
**Specifications:** NA. No Specification provided only by email dated February 11th, 2019.

**Materials:**

1) Furnish and Install Two (2) Hussey Seating Company, MAXAM Telescoping Bleacher Systems (Basis of Design):
   a) One (1): 78’6”W bank (Bleacher Seating A ‘Home Bleacher’. Consists of Three (3) sections and Four (4) Aisles)
   b) One (1): 78’6”W bank (Bleacher Seating B ‘Visitor Bleacher’. Consists of Three (3) sections and Three (3) Aisles)
   c) Rise of Tiers: 9-5/8”
   d) Deck: Pine Plywood with clear protective top coat finish
   e) Seat Depth: 10”
   f) Row Spacing: 24”
   g) Seat Type: Courtside; Color: Selected from manufacturer’s standard colors
   h) Tiers: 8
   i) ADA spots:
      i) Bleacher Seating A: 6
      ii) Bleacher Seating B: 6
   j) Attachment: Wall attached
   k) Floor construction: Wood (See Qualifications below)
   l) Wall construction: Concrete
   m) Operation: 120/208V, 3 phase, 60Hz Motor Operated by pendant controls (Two (2) pendant controls included).
   n) Rails:
      i) End rails: Manufacturer’s standard, self-storing on both ends; Color: Black
      ii) Aisle Rails: Manufacturer’s standard automatic rotating rails (First Rail pushed back manually for safety purposes); Color: Black
   o) Flex Rows:
      i) Bleacher Seating A: 9
      ii) Bleacher Seating B: 4
   p) Net Seat Totals:
      i) Bleacher Seating A: 338
      ii) Bleacher Seating B: 345
   q) Includes Two (2) sets of 14 oz. vinyl, bleacher end curtains; Color: Selected from Manufacturer’s standard colors
   r) Includes Two (2) 6’-0”L Scorer’s tables
   s) Accessories: Front steps, intermediate aisle steps and 10” rear filler.

CONTINUED ON PAGE 3

**QUOTATION ACCEPTANCE:**

This quotation, unless otherwise noted, will remain in effect for 30 days from the above date. Upon acceptance by the Buyer and credit approval by the B.T. Mancini Co., Inc. this instrument shall constitute a binding contract. In the event the Buyer elects to issue his own purchase order or contract based on this quotation, the conditions contained herein shall be deemed to be incorporated in said purchase order or contract. This proposal expressly limits acceptance to the terms of The General Conditions of Sale contained herein. No terms additional or different from the General Conditions will be accepted, including, but not limited to, any terms which establish a “condition precedent” to the Buyer making payment to the Seller other than any “condition precedent” already contained in this proposal.

The undersigned hereby accepts this proposal and states that he has read the General Conditions of Sale on page two.

Accepted
By
Date

B.T. Mancini Co., Inc.
Louise Colman
By
Louise Colman
Date
3/13/19

Page 1 of 4
GENERAL CONDITIONS TO AGREEMENT

1. Definitions – The word “Seller” as used herein means B.T. Mancini Co., Inc. and the word “Buyer” means the purchaser of material and services (“Work”) hereunder from the Seller for the specific project referenced herein.

2. Incorporation – Buyer agrees that these General Conditions of Agreement between Buyer and Seller for the Work (“Agreement”), will be and hereby are incorporated into any further expression of that Agreement, and when in conflict with any other written terms and conditions governing Seller’s performance of the Work, shall take precedence thereover.

3. Prompt Performance – Seller shall make reasonable efforts to perform the Work promptly in accordance with the terms of this Agreement, but shall not be liable for delay or schedule impacts arising from strikes, lockouts, fire, earthquake, war, governmental acts, Acts of God, or other events beyond Seller’s reasonable control, whether affecting the production, loading, delivery, transportation, delay, or installation of the Work.

4. Warranties – Seller warrants that the Work will be of good quality and new unless the Agreement requires or permits otherwise. For one (1) year from the date of substantial completion of the Work, Seller will at its sole discretion repair or replace any non-conforming Work under this warranty. Seller’s warranty excludes remedy for damage or defect caused by abuse, alterations not executed by Seller, improper or insufficient maintenance, improper operation, normal wear and tear, and normal usage. Seller makes no warranty, express or implied, regarding the Work, including the suitability thereof for any specific project. After substantial completion, Buyer’s rights under this warranty are its sole and exclusive remedy against Seller for non-conforming Work.

5. Delay – In the event the Work is stopped or delayed for any cause beyond the reasonable control and not the fault of Seller, then Seller shall in addition to any remedies otherwise available, be entitled to an equitable adjustment to both the time and cost of performing the Work, and may, if such stoppage or delay continues for thirty (30) days, terminate this Agreement and be paid for all Work performed. Stoppage or delay shall be presumed not to be the fault of Seller unless proved otherwise.

6. Indemnification – To the fullest extent of Seller’s own negligence, Seller agrees to indemnify Buyer against damages arising out of Seller’s performance of the Work and resulting in bodily injury or property damage other than to the Work itself.

7. Dispute Resolution – In any legal proceeding related to this Agreement, and in addition to any costs otherwise recoverable, the prevailing party shall be entitled to its reasonable attorneys’, experts’, and consulting fees. Venue for any dispute shall lie in the county where the Work is to be performed or in Santa Clara County. This Agreement shall be governed by California law without regard to its choice of law provisions.

8. Claims – Claims by Buyer for shortages or for improper, defective or damaged material must be made in writing specifying in detail the nature and extent of the shortage, defect or damage within five (5) days of delivery, and accompanied by the original freight bill with a notation on the face thereof by local agent of the carrier of the damage, defects, and/or shortage. Risk of damage shall be on Buyer when materials are delivered to a common carrier F.O.B. shipping point. Title to material shall remain with Seller until payment in full is made by Buyer.

9. Limitation on Claims – Any claim by Buyer, whether for breach of contract, tort, property damage, or personal injury must be made in writing within one (1) year of substantial completion of the Work, or such claim shall be deemed forever waived. Buyer and Seller hereby waive any claim against each other for consequential, special, exemplary, or other indirect damages.

10. Protection and Security – Buyer shall take reasonable steps to protect the Work installed and/or stored on the job site from damage, vandalism and theft, and shall provide, as appropriate, security guards and secure storage areas. Once accepted, damaged or stolen materials shall be Buyer’s responsibility.

11. Assignment – Buyer shall not assign its rights or obligations under this Agreement, in whole or in part, without Seller’s written consent.

12. Bankruptcy – In the event Buyer is adjudicated bankrupt, files a voluntary petition in bankruptcy, makes an assignment for the benefit of creditors, or applies for or consents to the appointment of a trustee or receiver over a substantial part of the Buyer’s property, Seller shall have the right to terminate the Agreement, and in addition to any other remedies, collect for all Work performed.

13. Payment – Buyer shall pay Seller according to the following schedule for the Work:

(a) For materials delivered, the cost of those materials to Buyer shall be paid by the 10th day of the month following delivery.
(b) For installation, not less than 90% of the cost to Buyer performed in any month shall be paid by the 10th day of the following month.

(c) Retention shall be paid within thirty (30) days of the completion and acceptance of Seller’s Work. The benefit of any reduction of the retention under any agreement between Buyer and its customer (for example, from 10% to 5%), will be passed proportionally on to Seller.

(d) Buyer shall not make any payment to Seller in the form of a joint check, or any other type of payment other than payment solely in the name of Seller, unless agreed to by the Seller in writing. Buyer’s payment shall constitute acceptance of the Work. Any sums not paid when due shall bear interest at the rate of 1 1/2% per month, annual percent rate 18%, until paid, provided that if such rate of late charge is not permitted by law, the highest legal rate shall be charged. In the event payment is not made as provided herein, Seller shall have the right to withhold further Work until paid, or upon five (5) days’ written notice to Buyer, to terminate this Agreement and seek damages.

14. Job Conditions – Unless otherwise stated herein, the working surfaces and job conditions shall be ready to receive Seller’s Work upon issuance of Buyer’s notice to proceed. Seller is entitled to rely on Buyer’s notice as representation that Buyer has carefully inspected and approved the work performed by others that it is to receive, align, abut, adjoin, accept, or similarly relate to Seller’s Work.

15. Penalties and Backcharges – No backcharges, penalties, liquidated damages or other deductions against the price set forth herein may be withheld from Seller unless (1) Buyer notifies Seller in writing of the basis for such charge no later than thirty (30) days after the cause for such charge is established; (2) Buyer is first provided sufficient evidence of the community to cure or correct a default in the Work; and (3) in no event will Seller be charged after payment would otherwise be due Seller per paragraph 13 hereof. Buyer’s failure to strictly comply with these conditions shall constitute a waiver by Buyer of any such charge against Seller.

16. Extra Work – Prior to making any change in the Work, including the time for storage, delivery, or installation thereof, Buyer will provide Seller with a written change order. Unless expressly agreed otherwise, Seller will be paid for any change in the Work on the basis of its actual costs, including taxes and insurance, plus 15% overhead and 10% profit thereon. Seller is not obligated to perform any changes to the Work until it receives a written change order or written directive from the Seller agreeing to the price for and/or any time extension required by the change.

17. Bonds – Unless specifically included, the cost of any required surety bonds shall be paid for by Buyer.

18. Escalation – Seller’s price is based on completion of the Work in accordance with the project schedule provided to Seller prior to this Agreement or as otherwise described herein. In the event commencement of the project or the Work is delayed through no fault of the Seller, prices for the Work shall be equitably adjusted by any actual cost increases incurred by and not reasonably avoidable by Seller.

19. Contract and Credit Acceptance – All agreements are subject to approval by Seller’s authorized employee(s). Acceptance of this Agreement by Seller and continued performance of Work shall at all times be subject to Buyer’s creditworthiness, and Buyer reserves the right to require full or partial payment in advance if Buyer’s financial condition creates a reasonable concern that Buyer cannot meet its financial obligations to Seller.

20. Material Approval – Samples or other submittals furnished by Seller, when reviewed without any noted objection or exception by Buyer, Buyer’s customer, or any agent, architect, or engineer thereof, shall be deemed the correct interpretation of the Work to be furnished.

21. Inspection and Acceptance – Upon completion, Buyer shall promptly inspect Seller’s Work and notify Seller in writing of the basis for any rejection, default, or deficiency. Buyer’s failure to timely inspect or reject Seller’s Work within ten (10) days after completion of Seller’s Work, shall constitute Buyer’s complete and final acceptance of the Work.

22. Labor Rates and Working Conditions – Seller’s price is based on working full-time and continuously without interruption on normal work days at straight time hourly rates prevailing in the area where the Work is to be performed. If Buyer requests overtime, off-hours Work, or multiple mobilizations, the price shall be equitably adjusted to cover Seller’s additional costs, including any increase in wages, taxes, insurance, set-up, or travel costs, plus overhead at 15% and profit at 10% thereon.

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTORS’ STATE LICENSE BOARD. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR OF THE BOARD WHOSE ADDRESS IS: CONTRACTORS’ STATE LICENSE BOARD, 9821 BUSINESS PARK DRIVE, SACRAMENTO, CALIFORNIA 95827 OR 222.csbl.ca.gov.

Page 2 of 4
Inclusions:
1) Standard design and construction of the Hussey Seating Company Telescoping Bleacher Systems.
2) Shop drawings and required submittals.
3) Engineering calculations to review attachment to wall.
4) Hoisting of B.T. Mancini Co., Inc. furnished materials.
5) Installation to take place in Single (1) phase. Includes both banks during the same mobilization.
6) Manufacturer’s standard Five (5) year warranty.

Exclusions:
1) Backing in adjacent walls.
2) Structural engineering and calculations of surrounding wall and floor.
3) All electrical work, running of power, etc. is provided and supplied by others.
4) Temporary power to be provided by others.
5) Design-Build Insurance.
6) Framing, backing, caulking, sealants, and drywall work.
7) Permits and bonds.
8) Any demolition of existing bleacher system is excluded.
9) OCIP/CCIP Insurance.
10) BIM/Revit modeling and coordination.
11) Discounts for early payment.
12) Fees for Textura or any other billing services, unless otherwise noted.
13) Restrictions to standard normal working hours.
14) Excludes SLBE/Local/First Source Hiring, LBE, DVBE, WBE, SBE, and MBE (Certified Installers required for Manufacturer’s Warranty).
15) Portable Seating/Chairs (See Alternate Below if desired)
16) Front Rails (Not applicable to project)
17) Motion Monitors and limit switches (See Alternate Below if desired)
18) Removable side rails (Not applicable to project)
19) Custom Finishes are excluded.
20) FSC Certified wood decking.
21) Logos are excluded (See Alternate Below if desired)
22) Accessories not noted above are excluded.
23) DSA Shop Drawings are excluded.

Erection Notes:
1) Erection estimate is based on a normal eight (8) hour day Monday through Friday and upon erection of the entire project by the B.T. Mancini construction forces on a continuous operation. NO OVERTIME.
2) Installation of proposed material will require free and clear rolling access to the area of installation for workmen and rolling equipment.
3) The General Contractor is to provide an area for safe storage of materials and equipment onsite, and in close proximity to the final work area.

Lead Times:
1) Shop Drawings: Approximately 2-4 weeks after receipt of “Notice to Proceed.”
2) Bleacher Systems: Approximately 12-13 weeks after receipt of approved shop drawings, field dimensions and finish selections (Plus transit time). Lead times can vary (+/-) based on production loads at time of order release.
3) Due to current material market volatility, we reserve the right to re-price material(s) to reflect current conditions. In the event the project timelines/schedule are delayed or modified, additional material costs will be incurred. B.T. Mancini will not be responsible for associated costs. Escalation costs will be added to the contract value via change order.

Qualifications:
1) Indemnification:
   a) B.T. Mancini Co., Inc. shall defend, indemnify, and hold harmless the Contractor and Owner from any damages only to the extent such damages were caused by any negligent act or omission of the B.T. Mancini Co., Inc. B.T. Mancini Co., Inc. will not defend, indemnify, or hold harmless any other person or entity. This provision supersedes any other indemnity provision.
2) Engineering:
   a) Please note: B.T. MANCINI CO., INC. IS NOT PROVIDING DESIGN/BUILD SERVICES FOR THIS PROJECT. All attachment methods and support are only suggestions and must be verified by Engineer of Record.
   b) Engineer calculations for the surrounding structure are by others and excluded from B.T. Mancini Co., Inc.’s cost.
3) Insurance:
   a) Upon award, all Project and or Contractor specific insurance requirements will be reviewed by BTM prior to acceptance. If requested by the insurance documents, BTM will name the Contractor and the Owner as additionally insured. However, all other agents not contracted by BTM such as the Architect/Engineer and other Consultants are excluded and will not be named
as additionally insured. Coverage outlined will only be provided on forms CG 20 10 04/13 and CG 20 37 04/13, all other forms are excluded.

4) **Installation Environment:**
   a) GC to provide room in gym to layout materials for installation. Coordination is required. **No other trades will be allowed in the area until bleachers are complete.**
   b) Gym required to be climate controlled and have lighting installed before bleacher installation begins.

5) **Bleacher System:**
   a) No drawings, photos or Specifications have been received therefore proposal is based on the list of materials stated above only. If any additional accessories are required or changes to the description above, pricing will adjust accordingly.
   b) This proposal is based on the gymnasium having wood flooring. If the gym flooring is anything other than wood, the bleachers will require additional power supply and additional equipment in order for the telescopic bleachers to deploy correctly without drag. If flooring differs from wood and additional power supply is required (as per Manufacturer’s recommendation), pricing will adjust accordingly.
   c) This proposal is based on all seats being a single color. If multiple colors or logos are required, pricing will adjust accordingly based on complexity.
   d) **This proposal excludes engineering review for DSA submission.** If a DSA submittal with California Engineering stamped approved drawings are required, leads and pricing will adjust accordingly.

**Quote:**
1) This proposal is good for 30 days from the date of this proposal. This quote and the price contained herein are specifically condition within this time period.
2) If background checks, drug tests, training, orientation, badging, and/or other qualifications are required for us to perform work, other than those administered by B.T. Mancini internally, additional costs will apply.
3) This proposal shall be attached to and become part of the contract. In the event of any inconsistency between such contract and this proposal, the terms of the proposal shall prevail.

**Total Base Bid (Including tax):** $97,050.00

**Alternates:**
1) If Motion Monitors (Qty two (2)) are required ADD $1,375.00 to the Total Base Bid.
2) If full bleed logo end curtains (Qty two (2) pairs) are required in lieu of solid color vinyl end curtains, ADD $990.00 to the Total Base Bid.
3) If Courtside seat graphic logos (Qty sixty (60) pairs) are required, ADD $710.00 to the Total Base Bid.
4) If a scorer’s table is not required, DEDUCT ($115.00) from the Total Base Bid.
5) If Twenty-four (24) Clarin, Model 3400 Portable chairs with black frame, Grade 1 Vinyl and a Two (2) color logo (selected from manufacturer’s standard colors) are desired, ADD $2,235.00 to the Total Base Bid.

**Acknowledgments:**
1) **Addendum #1 dated February 11th, 2019**.
Resolution Calling for Full and Fair Funding of California’s Public Schools

WHEREAS, California has the sixth largest economy in the world, and the largest Gross Domestic Product (GDP) of any state in the nation; and

WHEREAS, despite California’s leadership in the global economy, the state falls in the nation’s bottom quintile on nearly every measure of public K-12 school funding and school staffing; and

WHEREAS, California ranks 45th nationally in the percentage of taxable income spent on education, 41st in per-pupil funding, 45th in pupil–teacher ratios and 48th in pupil–staff ratios; and

WHEREAS, K-12 school funding has not substantially increased, on an inflation-adjusted basis, for more than a decade; and

WHEREAS, under the Local Control Funding Formula (LCFF), state funding for K-12 schools has only recently returned to levels predating the Great Recession of 2007; and

WHEREAS, the modest revenue increases since the implementation of LCFF have been eroded by rapidly increasing costs for health care, pensions, transportation and utilities; and

WHEREAS, 58 percent of California’s public school students are eligible for free and reduced-price lunch — 13 percent above the national average — and 23 percent of California students are English learners, more than twice the national average; and

WHEREAS, California’s investment in public schools is out of alignment with its wealth, its ambitions, its demographics and the demands of a 21st-century education; and

WHEREAS, in 2007, a bipartisan group of California leaders commissioned a report titled Getting Down to Facts, which stated it would take an additional $17 billion annually to meet the State Board of Education achievement targets for K-12 schools; and

WHEREAS, in 2016, a California School Boards Association (CSBA) report, California’s Challenge: Adequately Funding Education in the 21st Century, updated the Getting Down to Facts data and determined that, adjusting for inflation, an additional $22 billion to $40 billion annually would be required to provide all public school students with access to a high-quality education; and

WHEREAS, California funds schools at roughly $1,961 per student less than the national average, which translates to approximately $3,462 per student when adjusted for California being a high-cost state; and
WHEREAS, California trails the average of the top 10 states by almost $7,000 in per-pupil funding; and

WHEREAS, in Robles-Wong v. State of California, a group of plaintiffs led by CSBA argued that California's school funding system violated Article IX of the State Constitution by denying all students access to an education that prepares them for economic security and full participation in our democratic institutions; and

WHEREAS, the California Supreme Court declined to hear the case by a 4-3 margin, prompting Justice Goodwin H. Liu to write: "It is regrettable that this court, having recognized education as a fundamental right in a landmark decision 45 years ago [Serrano v. Priest (1971) 5 Cal.3d 584], should now decline to address the substantive meaning of that right."; and

WHEREAS, in order to prepare our students for participation in a democratic society and an increasingly competitive, technology-driven global economy, California must fund schools at a level sufficient to support student success; and

WHEREAS, despite its vast wealth, California has consistently underfunded public education while widening its scope, adding new requirements and raising standards without providing appropriate resources to prepare all students for college, career and civic life; and

WHEREAS, if California is to close opportunity and achievement gaps and create a public school system that offers consistently high levels of education, the State must provide schools with the resources to meet the needs of their specific populations;

NOW, THEREFORE BE IT RESOLVED, that the governing board of the ________________________________
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